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AUTHORITY: 16 U.S.C. 1531–1543; subpart B, § 227.12 also issued under 16 U.S.C. 1361 *et seq.*

SOURCE: 43 FR 32809, July 28, 1978, unless otherwise noted.

EDITORIAL NOTE: For a document relating to adoption of alternative scientific testing protocol for evaluating TEDs see 55 FR 41092, Oct. 9, 1990.

§ 227.1 Purpose.

The regulations contained in this part identify the species, subspecies, or any other group of fish and wildlife of the same species or smaller taxa in common spatial arrangement that interbreed when mature, under the jurisdiction of the Secretary of Commerce which have been determined to be threatened species under the Endangered Species Act of 1973 and provide for the conservation of such species by establishing rules and procedures to govern activities involving the species.

§ 227.2 Scope.

(a) The regulations contained in this part apply only to the threatened species enumerated in § 227.4.

(b) The provision of this part are in addition to, and not in lieu of other regulations of parts 217 through 222 and part 225 of this chapter II which prescribe additional restrictions or conditions governing threatened species.

(c) Certain of the threatened fish or wildlife listed in 50 CFR 17.11 and enumerated in 50 CFR 227.4 are included in Appendix I or II to the Convention on International Trade in Endangered Species of Wild Fauna and Flora. The importation, exportation, and reexportation of such species are subject to additional regulations provided in part 23, chapter I (title 50).

§ 227.3 Definitions.

In addition to the definitions contained in the Act, and in parts 217 and 225 of this chapter, and unless the context otherwise requires, in this part 227:

(a) *Act* means the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 through 1547;

(b) *Assistant Administrator* means the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, or his authorized delegate. The Assistant Administrator for Fisheries is in charge of the National Marine Fisheries Service;